

Rule 375-3-3-.22 Review of Withdrawals Resulting from Out-of-State Conduct

- (1) Any person whose driver's license, permit, or driving privilege has been suspended, revoked, cancelled, denied or disqualified as a result of conduct that occurred in another state ~~may request~~shall have a review of such withdrawal once every five (5) years ~~from the date of imposition of such withdrawal~~. Such review shall result in a determination of whether the withdrawal is still warranted and whether the person is otherwise eligible to operate a motor vehicle in the State of Georgia.
- (2) Any person who ~~contested~~appealed such withdrawal pursuant to Ga. Comp. R. & Regs. ~~R. Ga. Comp. Reg. Ch. 375-1-1-.06375-3-3-.04~~ shall be eligible for such review upon the expiration of five (5) years from the date on which the Department ~~or the Office of State Administrative Hearings~~ entered its Final Decision in such appeal. ~~Any person who did not contest such withdrawal shall be eligible for review thereof upon the expiration of five (5) years from the date of imposition of such withdrawal.~~
- (3) In no case shall the Department authorize issuance of a driver's license or permit to any person who has failed to complete the requirements for reinstatement imposed by the state in which such conduct occurred.

Authority: O.C.G.A. § 40-5-52~~(d)~~.

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of the amendment is to update the existing rule, update the language to align with the law, and update the correct rule number referenced therein.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULE

The proposed amendment will reflect the law which calls for the review of withdrawals for out-of-state conduct every 5 years from the date of imposition or final decision for those that are appealed.